

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

ENVIRONMENTAL ASSESSMENT

NUMBER: CO-120-2008-28-EA

PROJECT NAME: Linpore Spring

LEGAL DESCRIPTION: T6N, R80W, Section 36

APPLICANT: Buffalo Creek Land and Cattle

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action: Buffalo Creek Land and Cattle has applied to have an undeveloped spring in Allotment # 07092 (Linpore) developed. The spring would be developed by installing a spring box and an underground 1½" pipeline of less than 500' to a water trough. An enclosure of less than 0.5 acre would be constructed to protect the water source and collection system. The enclosure fence would be a 4-wire fence with the bottom wire smooth and at least 16" from the ground. The other wires would be barbed and at heights of 6", 12", and 24" above the smooth wire. The total height of the fence would not exceed 40".

One water trough would be installed and would provide sufficient water for livestock and wildlife use. A wildlife ramp would be installed on the water trough to provide an escape route for small mammals and birds that may enter the trough to obtain water. Overflow from the water trough would be piped into the natural drainage channel from the spring. When the water is not needed for livestock use, it would flow into the natural drainage.

A tracked backhoe would be used for the installation and all disturbed areas would be re-contoured and seeded with a mixture of native and introduced grass and forb species as specified by the BLM. The BLM zone crew would construct the pipeline in the summer of 2008 while the permittee would build the fence in 2008 or 2009. A map of the proposed project area is included below.

Design Features of the Proposed Action:

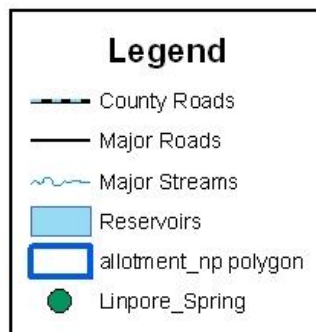
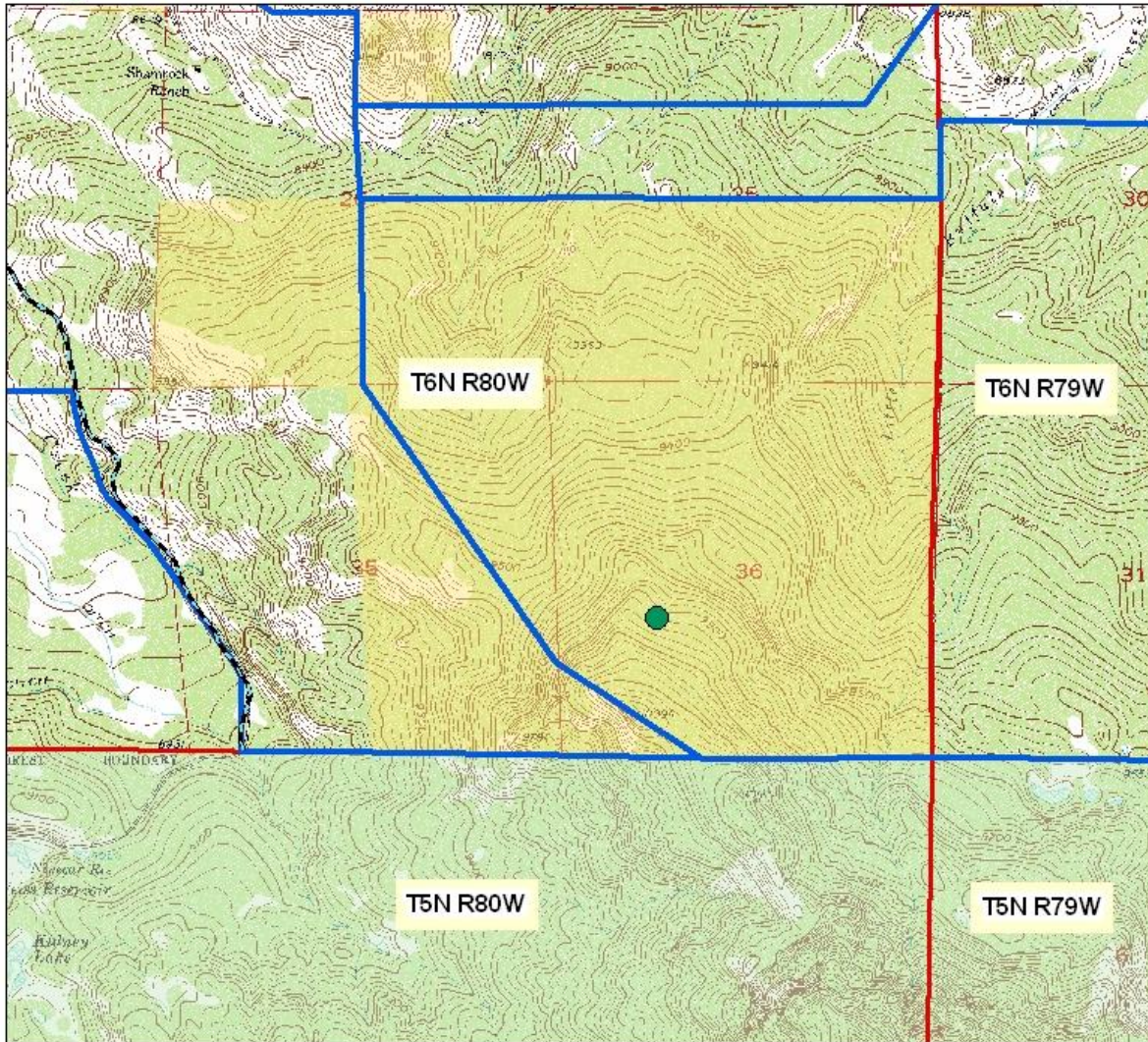
- The BLM would monitor the project area for the establishment or spread of invasive, non-native species after the project is completed. If invasive, non-native species become established or spread as a result of the Proposed Action; BLM would be responsible for their control.

- Livestock would be excluded from the source area, a portion of the discharge would remain in the deep, and water would not be diverted when livestock have moved out of the allotment.
- The trough would be located away from any wetland vegetation.
- All disturbed areas would require leveling and re-seeding following construction. A BLM approved seed mix would be required for the reseeded. Periodic monitoring of the vegetation would be required following project construction to ensure the seeded vegetation becomes established. If the seeding fails, reseeded would be required with the same or an alternative seed mix. Once an adequate stand of the intended vegetation is established, monitoring would no longer be required. The BLM would be responsible for the re-seeding and monitoring.
- All areas that are re-seeded should be signed as closed until re-vegetation takes place.

Project Area Map



Linpore Spring



0 0.2 0.4 0.8 Miles

1:24,000

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Buffalo Peak
BLM, Kremmling FO 3/2007

No Action Alternative: The spring would not be developed and the benefits from an additional livestock watering location would not be realized.

PURPOSE AND NEED FOR THE ACTION: The BLM is specifically responding to a proposal from Buffalo Creek Land and Cattle to develop an additional water source in allotment # 07092 (Linpore) and install a pipeline from the spring to one livestock tank.

The purpose of the project would be to provide an additional water source for the livestock grazing in allotment # 07092 (Linpore). This project is needed to provide better distribution of livestock throughout the allotment and more even utilization of the vegetation within the allotment.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock grazing pages 4 through 7, as revised

Decision Language: Investing in cost-effective range improvements to implement grazing systems and meet the objectives of the AMP. Stock water developments would be authorized as a basis for implementing grazing systems; additional water sources could be turned on and off to regulate cattle distribution and use within pastures. This would allow previously developed water facilities to receive less concentrated use and would enhance grazing uniformity within pastures/allotments.

Standards for Public Land Health: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. The following are the approved standards:

Standard	Definition/Statement
#1 Upland Soils	Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.
#2 Riparian Systems	Riparian systems associated with both running and standing water, function properly and have the ability to recover from major surface disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment, and provides forage, habitat and bio-diversity. Water quality is improved or maintained. Stable soils store and release water slowly.
#3 Plant and Animal Communities	Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat's potential. Plants and animals at both the community and population level are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations, and ecological processes.
#4 Threatened and Endangered Species	Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.

#5 Water Quality	The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirements set forth under State law as found in (5 CCR 1002-8), as required by Section 303(c) of the Clean Water Act.
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Because a standard exists for these five categories, a finding must be made for each of them in the environmental analysis. These findings are located in specific elements below or in the Interdisciplinary Team Analysis Review Record and Checklist (IDT-RRC) (Appendix 1).

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

CRITICAL ELEMENTS: The following critical elements: Air Quality, Areas of Critical Environmental Concern, Cultural Resources, Environmental Justice, Farmlands- Prime and Unique, Floodplains, Invasive, non-native species, Native American Religious Concerns, Water Quality, Wastes- Hazardous or Solid, Wild and Scenic Rivers, and Wilderness were evaluated and determined that they were not present or that there would be no impact to them from the Proposed Action or No Action Alternative. See IDT-RRC in Appendix 1 for further information.

The following critical elements were determined to be potentially impacted and were carried forward for analysis from the IDT-RRC in Appendix 1.

MIGRATORY BIRDS

Affected Environment: The proposed well would be located in a lodgepole forest habitat type. Important migratory birds expected to inhabit the project site include mountain chickadees, red-tail hawks, Cooper's hawks, brown creepers, hairy woodpeckers, and yellow-rumped warblers.

Environmental Consequences: The proposed well development would improve livestock grazing distribution and management in allotment # 07092. Better livestock management would result in more suitable habitat for the species listed above. Grass and forb cover would increase thereby providing additional food, cover, and nest material for migratory birds. The proposed well development would also provide an additional water source for birds and their prey base.

The No Action Alternative would not result in more intensive livestock management. Grass productivity would remain as it currently exists and cover for ground nesting birds would not increase. No additional water for migratory birds would be available in the pasture as a result of this alternative.

THREATENED, ENDANGERED, AND SENSITIVE SPECIES (includes a finding on Standard 4)

Affected Environment: A list of threatened, endangered, and candidate species which could inhabit the proposed project area was received from the U.S. Fish and Wildlife Service (USFWS) March 31, 2008. Analysis of this list indicated that no listed species would be directly impacted by the proposed project.

The Proposed Action is located within the North Platte River basin, which is tributary to the Platte River System. The USFWS has determined that any water depletion within the Platte River jeopardizes the continued existence of one or more federally-listed threatened or endangered species and adversely modifies or destroys designated and proposed critical habitat. Depletions may affect and are likely to adversely affect the whooping crane, the interior least tern, the piping plover, and the pallid sturgeon in Nebraska.

Environmental Consequences: Livestock use was estimated at 220 cows for approximately 22 days for a total depletion of 0.22 annual-feet-per-year. This is assuming the spring is the only water source for livestock in the allotment. A programmatic biological opinion was completed on June 16, 2006 that covers new depletions, but the exact reasonable and prudent alternatives for federal depletions from agriculture-related projects is still being determined. The BLM has submitted a request for consultation and would comply with the reasonable and prudent alternatives once the USFWS determines them.

Finding on the Public Land Health Standard for Threatened & Endangered species: Neither the Proposed Action or the No Action Alternative would prevent allotment # 07092 from meeting this standard.

WETLANDS & RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: The Linpore Spring has not been inventoried for wetland values. The spring is actually a seep, not having a point of discharge with a hydraulic head, but rather emerging from several diffuse locations. The seep starts at several points along the contour, starting east of the proposed spring development. The seep appears to be formed along the boundary between two geologic formations- the North Park formation and a younger quaternary deposit which could be from a landslide or glacial deposit. The seep supports an alder/willow community, with many of the smaller willows showing heavy wildlife use. The seep feeds into an aspen-lined swale that is not channelized.

Environmental Consequences: If the spring is developed, there would be fewer impacts (e.g. vegetative disturbance) to the seep than there would be from continued livestock watering in the undeveloped seep. The best management practices included in the design features of the Proposed Action would help minimize impacts to the seep. The seep's discharge may diminish as clear cuts in the area continue to re-vegetate and the forest becomes fully stocked. With the current beetle infestation, this may be delayed for some years. Under the regional conditions for a 404 Nationwide Permit in Colorado, developing a seep area does not require an individual permit. The development is covered by nationwide permit 18 for minor fills.

Finding on the Public Land Health Standard for wetland/riparian systems: The Linpore Spring appears to be meeting the Standard, with good vegetative diversity, condition, and a wetland-supporting discharge. The Proposed Action would help protect the wetland around the spring and the groundwater source from livestock grazing. With proper development, it would not hinder the area's ability to continue to meet the Standard. Under the No Action Alternative, the wetland could begin to degrade, depending on livestock use.

NON-CRITICAL ELEMENTS: The following non-critical elements were determined to be potentially impacted and were carried forward for analysis from the IDT-RRC in Appendix 1.

RANGE MANAGEMENT:

Affected Environment: Allotment # 07092 (Linpore) has an authorized grazing preference of 146 Animal Unit Months (AUMs). The entire allotment is grazed by 220 cattle from 8/23 through 9/15 each year.

Environmental Consequences: Development of Linpore Spring would provide an additional source of water in a section of the allotment that receives reduced use by cattle because of the lack of easily attainable water. The Proposed Action would result in better livestock distribution throughout the allotment and more even-use of the vegetation.

VEGETATION (includes a finding on Standard 3)

Affected Environment: The Proposed Linpore Spring development would occur in a small willow patch within an old logging clear cut. The spring would be built with a collection system that would provide water to a trough. The spring box would be fenced off to protect the spring and the vegetation around the spring.

Environmental Consequences: There would be short-term, direct impacts (i.e. vegetative disturbance) from the installation of the spring, pipeline, and water trough. The livestock grazing permittee would be responsible for constructing an exclosure fence around the spring box. The exclosure would protect the spring from damage and preserve its integrity. Design features of the Proposed Action would also help to minimize impacts to vegetation.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): The allotment was assessed for compliance with the Standards for Public Land Health during the 2002 livestock grazing permit renewal process. The BLM interdisciplinary team concluded Allotment # 07092 (Linpore) is in compliance with Standard # 3 (Upland Vegetation).

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment: The proposed project area provides habitat for a variety of species including mule deer, Rocky Mountain elk, moose and a variety of small mammals. Elk and moose use the area yearlong, while deer primarily use the area in the summer. Coyotes, badgers, and several other species of rodents are yearlong residents of the proposed project area.

Environmental Consequences: The proposed well development would provide an additional water source for big game and small mammals during the summer season as well as improve livestock distribution during the grazing season. The change in livestock distribution would improve forage conditions and provide additional food and cover vegetation for wildlife using the allotment. The proposed project would not conflict with terrestrial wildlife since habitat disturbance would be minimal. All vegetative disturbances associated with the project would be reclaimed. Harassment or disturbance of wildlife would also be minimal since construction

activities would be short term, in an isolated area, and not likely to occur during periods of animal concentration.

The No Action Alternative would not improve livestock grazing distribution and would not provide an additional water source for wildlife. If the No Action Alternative was implemented, there would not be any additional forage for wildlife in allotment # 07092.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): Neither the Proposed Action or the No Action Alternative would prevent allotment # 07092 from meeting this standard.

CUMULATIVE IMPACTS SUMMARY: All resource values have been evaluated for cumulative impacts. Due to the small nature of the proposed disturbance, and limited development within the surrounding area, there would be no cumulative impacts.

PERSONS / AGENCIES CONSULTED: The proposed project was posted on the Kremmling Field Office Internet NEPA Register and public room NEPA board.

INTERDISCIPLINARY REVIEW: See IDT-RRC in Appendix 1.

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Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

DECISION RECORD

DECISION: It is my decision to authorize the Proposed Action as described in the attached EA. This decision is contingent on meeting the design features of the Proposed Action and monitoring requirements listed below.

RATIONALE: The purpose of the Proposed Action was to provide an additional water source for the livestock grazing in allotment # 07092 (Linpore). This project was needed to provide better distribution of livestock throughout the allotment and more even utilization of the vegetation within the allotment.

MITIGATION: See attachment #1 for standard cultural stipulations and design features of the Proposed Action.

COMPLIANCE/MONITORING:

- The BLM will monitor the project area for the establishment or spread of invasive, non-native species after the project is completed. If invasive, non-native species become established or spread as a result of the Proposed Action; BLM will be responsible for their control.
- Periodic monitoring of the vegetation will be required following project construction to ensure the seeded vegetation becomes established. If the seeding fails, reseedling will be required with the same or an alternative seed mix. Once an adequate stand of the intended vegetation is established, monitoring will no longer be required.

NAME OF PREPARER: Pete Torma

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 7/17/08

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Peter McFadden

DATE SIGNED: 7/18/08

ATTATCHMENTS:

1). Standard Cultural Stipulations

APPENDICES:

Appendix 1 – Interdisciplinary Team Analysis Review Record and Checklist

Attachment #1

Standard Cultural & Paleontological stipulations:

The holder shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The holder shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the holder shall bear the cost of the services of a non-Federal professional.

Within five working days the Authorized Officer will inform the holder as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
- A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.

If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the holder will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the holder will then be allowed to resume construction.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the holder's cost.

Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the Authorized Officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the Authorized Officer

Appendix 1

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: Linpore Spring

Project Leader: Pete Torma

Consultation/Permit Requirements:

Consultation	Date Initiated	Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO		6/11/08	Wyatt	Cultural resource inventory #CR-08-15 was conducted on Linpore Spring and located no new cultural resource sites.
Native American	3/12/08	4/12/08	Wyatt	No concerns have been received to date from the 5 Native American tribes consulted.
T&E Species/FWS	1/08/08 (Depletions only)		P. Belcher	On 6/26/08, BLM mailed a consultation request to the USFWS.
Permits Needed (i.e. Air or Water)	7/03/08	07/03/08	P Belcher	Nationwide permit 18 covers the proposed development. The site is a seep and not a spring.

(NP) = Not Present

(NI) = Resource/Use Present but Not Impacted

(PI) = Potentially Impacted and Brought Forward for Analysis.

NP NI PI	Discipline/Name	Date Review Comp.	Initials	Review Comments (required for Critical Element NIs, and for elements that require a finding but are not carried forward for analysis.)
CRITICAL ELEMENTS				
NI	Air Quality Belcher	6/26/08	PB	The Proposed Action would not impact air quality.
NP	Areas of Critical Environmental Concern Stout	7/17/08	JS	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
NI	Cultural Resources Wyatt	6/11/08	BBW	No sites were located. Thus, there would be no impacts to historic properties.
NP	Environmental Justice Stout	7/17/08	JS	According to the most recent Census Bureau statistics (2000), there are no minority or low income communities within the Kremmling Planning Area.
NP	Farmlands, Prime and Unique Belcher	6/26/08	PB	There are no farmlands, prime or unique, in the proximity of the proposed project area.
NP	Floodplains Belcher	6/26/08	PB	The Proposed Action occurs in an upland area and does not affect floodplains.
NI	Invasive, Non-native Species Scott	6/30/08	MS	There are no known invasive, non-native species (noxious weeds) growing in the project area. Since soil or vegetation disturbing activities provide an avenue for the establishment or expansion of invasive, non-native species, the BLM would monitor the project area as specified in the Proposed

				Action.
PI	Migratory Birds McGuire	4/25/08	MM	See analysis in EA.
NI	Native American Religious Concerns Wyatt	6/11/08	BBW	To date no Native American Tribe has identified any TCP concerns within the proposed project area. Thus, there would be no impacts.
PI	T/E, and Sensitive Species (Finding on Standard 4) McGuire	4/25/08	MM	See analysis in EA.
NP	Wastes, Hazardous and Solid Hodgson	2/8/08	KH	There are no quantities of wastes, hazardous or solid, located on BLM-administered lands in the proposed project area, and there would be no wastes generated as a result of the Proposed Action or No Action alternative.
NI	Water Quality, Surface and Ground (Finding on Standard 5) Belcher	6/26/08	PB	Finding: The Proposed Action would protect ground water quality by excluding the source from grazing. Upland water source development is a best management practice to reduce non-point source pollution by improving grazing management.
PI	Wetlands & Riparian Zones (Finding on Standard 2) Belcher	7/3/08	PB	See analysis in EA.
NP	Wild and Scenic Rivers Sterin	7/2/08	BGS	There are no eligible Wild and Scenic River segments in the proposed project area.
NP	Wilderness Sterin	7/2/08	JJM	There is no designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.
NON-CRITICAL ELEMENTS (A finding must be made for these elements)				
NI	Soils (Finding on Standard 1) Belcher	6/26/08	PB	Due to the spring development being adjacent to a timber road, there would be a very small area disturbed by the construction. The planned re-seeding would return the area to pre-disturbance conditions.
PI	Vegetation (Finding on Standard 3) Torma	6/20/08	PT	See analysis in EA.
NP	Wildlife, Aquatic (Finding on Standard 3) McGuire	4/25/08	MM	No aquatic wildlife present. Finding: N/A
PI	Wildlife, Terrestrial (Finding on Standard 3) McGuire	4/25/08	MM	See analysis in EA.
OTHER NON-CRITICAL ELEMENTS				
NI	Access/Transportation Monkouski	7/2/08	JJM	There would be no impacts.
NI	Fire Wyatt	6/11/08	BBW	There would be no impacts.
NI	Forest Management Belcher	07/07/08	KWB	Proposed spring development is within an old logging clearcut harvested in the 1970's. Regenerated trees are large enough that they should not be impacted by livestock.
NI	Geology and Minerals Hodgson	2/8/08	KH	No impacts.
NI	Hydrology/Water Rights Belcher	7/03/08	PB	The seep has not been inventoried for production. Due to the nature of the seep, it is difficult to measure an actual discharge. Once the spring is developed, the piped discharge would be measured and a water right filed for with the state of Colorado. The state administers all water rights in Colorado and the BLM adheres to state laws and regulations governing water use. No water rights would be

				impacted by the spring's development.
NP	Paleontology Rupp	3/31/08	FGR	Non-fossil bearing geology. No potential for the discovery of fossils.
NI	Noise Monkouski	7/2/08	JJM	There would be an increase in noise during construction but it would be temporary and short term.
PI	Range Management Torma	6/20/08	PT	See analysis in EA.
NP	Lands/ Realty Authorizations Cassel	1-30-08	SC	No leases, permits or rights-of-way are present at the location of the proposed action.
NI	Recreation Monkouski	7/2/08	JJM	Camping, hunting, wildlife viewing, OHV use and driving for pleasure recreation opportunities exist, but would not be impacted.
NI	Socio-Economics Stout	7/17/08	JS	There would be no impacts.
NI	Visual Resources Hodgson	6/20/08	KH	Class II VRM. Spring may be visible, but should not attract attention.
NI	Cumulative Impact Summary Stout	7/17/08	JS	There would be no cumulative impacts.
FINAL REVIEW				
	P&E Coordinator Stout	7/17/08	JS	
	Field Manager McFadden			